Transnational Criminalization and Cultural Violence: Salvadoran Deportees, the United States, and El Salvador

Research Thesis

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by

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While Central American migration and refugee flows to the United States have been the focus of attention in recent years, the opposite phenomenon of deportation has drawn less scholarly consideration. Deportations to countries in the Northern Triangle of Central America have consistently risen in number over the last decade, with deportations to El Salvador increasing sharply since fiscal year 2007 and reaching 27,180 in fiscal year 2014 (DHS 2014a, 4). While at first glance deportation may appear to be a simple act of repatriation, this image is complicated by the fact that Latino deportees are often not welcomed back, nor even wanted, in their country of birth. These deportees often leave family in the United States, may not have close relatives in their home country, and might have difficulty speaking the language of their country of birth. In El Salvador, these deportees, especially those who have spent most of their lives in the United States, are subjected to criminalization and violence upon their return to the country (Fariña et al. 2010, 193). According to Dingemen and Rumbaut (2010, 398), Salvadoran deportees have difficulty because of discrimination from employers in El Salvador. Furthermore, Salvadoran anti-mara (anti-gang) policies classify speaking English as a possible marker of gang involvement. Deportees also claim that Salvadorans treat them with suspicion and try to avoid them by, for instance, refusing to sit next to them on the bus (Dingeman and Rumbaut 2010, 395).

Currently, there is little literature that addresses this criminalization and violence against deportees, why it occurs, or how it is affected by discourses of the Salvadoran government. This paper draws on the concept of cultural violence, or "aspects of culture, the symbolic sphere of our existence… that can be used to justify or legitimize direct or structural violence" (Galtung 1990, 291) to examine the reception of Salvadoran deportees. This is not to say that Salvadoran culture is violent; rather it is to say that the Salvadoran government's rhetoric and discourses

serve to criminalize deportees. This paper draws on previous works while introducing a new understanding of Salvadoran deportation. I argue that in the case of El Salvador, discourses about deportees take the form of two distinct yet complimentary types of cultural violence. The Salvadoran government has created and shaped the idea of a neoliberal emigrant, which excludes deportees as unworthy emigrants. Furthermore, the Salvadoran government conflates *deportee* with *marero* (gang member) and *criminal*, therefore blaming deportees for the problems of violence in the country.

In order to introduce a more complete understanding of how discourses and rhetoric are forms of cultural violence, it is first crucial to establish what *violence* is. Galtung (1990, 294) distinguishes between three principal manifestations of violence: direct violence, structural violence, and cultural violence. Direct violence is perhaps the most easily recognizable and most discussed of the three. The term direct violence refers to physical violence that has a clear actor, such as in the cases of murder and assault. In contrast, structural violence is the violence built into the function and makeup of society. This type of violence can be more difficult to identify because it often does not have a clear actor. The lack of access to quality education for poor people and people of color as well as disproportionate exposure of people of color to environmental hazards are two examples of structural violence. Finally, cultural violence is the legitimation or obscuration of direct or structural violence. Examples of cultural violence include racism, sexism, and criminalization because these beliefs justify both direct violence and structural violence.

The exploration of cultural violence constructed in El Salvador and this violence's relation to Salvadoran deportees is new to the current literature about El Salvador. Traditionally, scholars and organizations who address migration have explored the deportation process with an

emphasis on the United States, sometimes discussing human rights violations associated with the United States' immigration regime. In general, there has been overwhelmingly little study of the challenges that Latino deportees face when they return to their countries of origin. In the case of El Salvador, scholars such as Susan Bibler Coutin (2007) have explored the creation of new transnational identities of Salvadorans both in the United States and El Salvador. Additionally, researchers such as Elana Zilberg (2011) have related neoliberal economic policies to the formation of gangs in the country. Others, including Sarah Gammage (2006) and Patricia Landolt (2001), have connected the importance of remittances to El Salvador to the Salvadoran government's encouragement of emigration to the United States. Unfortunately, most of the literature about Salvadoran migration and deportation is focused on men. While research on women is crucial, I will be using the available research that I have mentioned and will primarily discuss male deportees.

This paper addresses cultural violence and Salvadorans deportees through the following structure. Section one contextualizes the deportation of Salvadorans from the United States by highlighting the legal expansions of who is considered a "criminal" deportee since the 1990s. This section also examines the Department of Homeland Security (DHS) on Salvadoran deportees, crime, and gang affiliation. Section two then introduces and explores the first part of the manifestation of cultural violence by the Salvadoran government then traces the creation of the neoliberal Salvadoran and shows how Salvadoran deportees are barred from this construction. Section three analyzes the other half of this rhetoric by demonstrating how the Salvadoran government blends the categories of gang member, deportee, and criminal while scapegoating deportees for violence in the country. Finally, in the conclusion I discuss the

implications of this double-sided conception of cultural violence and relate it to increasingly harsh and punitive new policies that have emerged in El Salvador.

Section 1: Who is being deported to El Salvador?

Before analyzing the relationship between cultural violence and deportation to El Salvador, it is necessary to examine the statistical information available about Salvadoran deportees and relate this data to increased DHS removal efforts. This analysis reveals that even under expansions of criminalization by the US immigration regime, the majority of Salvadoran deportees have no criminal record and few Salvadoran deportees are suspected gang-affiliates.

While the task of finding clear demographic information about Salvadoran deportees may seem straightforward enough, specific information is often hard to find, incomplete, or inconsistent. In fact, activists have complained that DHS official records are grossly incomplete, noting that in 2009 that 44% of removal cases (395,272 cases) processed by the DHS have no crime data (Human Rights Watch, Parker, and Root 2009, 28). Additionally, the DHS's records of Legal Permanent Resident (LPR) removals were even less clear and provided no crime data in 74.8% of cases or 94.9% of ICE cases (Human Rights Watch, Parker, and Root 2009, 34). Despite these gaps, the records that are released by the DHS consistently show that hundreds of thousands of "non-criminal" undocumented immigrants and U.S. residents have been removed.

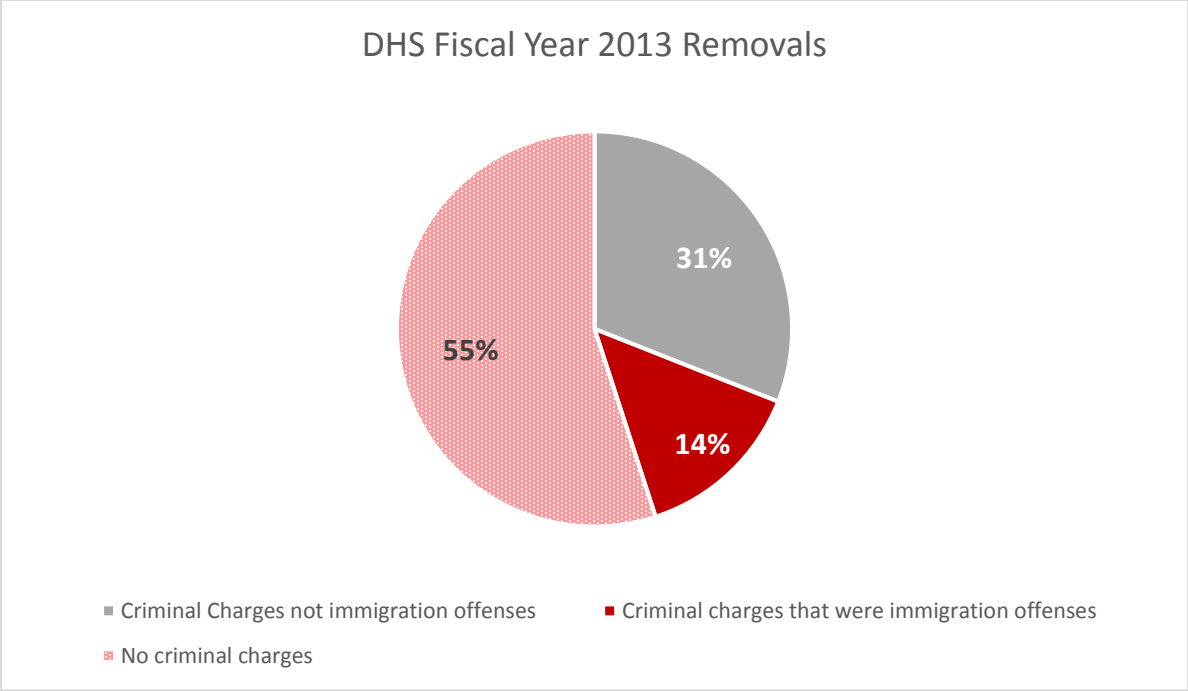

Figure 1: DHS Removal Statistics from the 2013 Fiscal Year

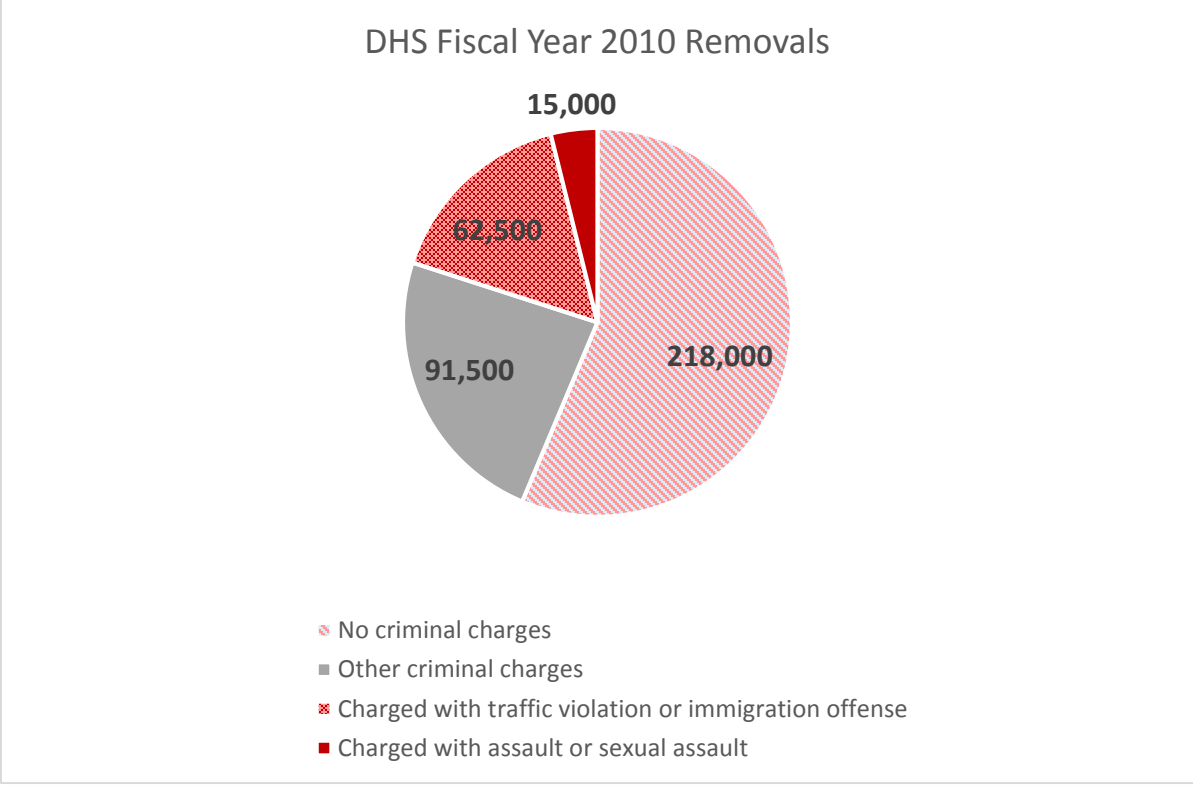

Figure 2: DHS Removal Statistics from the 2010 Fiscal Year

Based on the DHS statistics (2014b, 6), in the fiscal year 2013, only 198,394 of the 438,421 deportees faced criminal charges (see Figure 1). Out of these 198,394 deportees, 62,194 had committed immigration offenses (DHS 2014b, 6). The Pew Research Hispanic Center Report examines this phenomenon even closer, showing that in 2010 only 169,000 of 387,000 deportees were classified as "criminals" (See Figure 2) (Lopez et al. 2011, 2). However, over 62,500 (37%) of these "criminal aliens" had only been charged with an immigration offense or a traffic violation (Lopez et al. 2011, 2). Only around 15,000 (9%) of these 169,000 immigrants had been found to have committed either assault or sexual assault combined (Lopez et al. 2011, 2). Although the current deportation regime often uses deportation as a mechanism to punish alleged criminals, these figures reveal that it is inaccurate to assert that US removal practices are only targeting the nation's most hardcore "criminals".

Information available about Salvadoran deportees reveals that most Salvadorans have not been convicted of a crime prior to removal. According to DHS records, in the 2013 fiscal year (FY), 21,602 Salvadoran citizens were removed from the United States (DHS 2013, 4). In FY 2014 this number increased to 27,180 (DHS 2014a, 12) and in FY 2015 the number of removed Salvadorans totaled 21,920 (DHS 2015, 9). Specific information detailing how many of these Salvadorans were removed from the interior of the United States is not available. However, the DHS (2014b, 6) reports that 11,422 (55%) of the 20,862 Salvadorans deported in FY 2013 had not even been charged with a criminal offense. As previously illustrated, this statistic is even more critical when taking into account that many of the criminal charges may be nonviolent offenses such as traffic violations or immigration violations.

Salvadoran deportees are classically categorized as gangsters by the US government and by the American public, a variation on the stereotype of the "criminal" immigrant (Leyro 2013,

135) as well as the sensationalization of Salvadoran-American gangs. However, the DHS's annual report for FY 2014 reveals that its Risk Classification Assessment identified 2,802 deported individuals who were "suspected or confirmed gang members" (DHS 2014a, 6). To be clear, this number reflects the total suspected gang-affiliates from all countries. The DHS does not give information about suspected gang-affiliation by country of origin. Based on this total, even if every single active gang member or suspected gang member that year was Salvadoran, possible gang members would only account for around 10.3% of Salvadoran removals. Additionally, according to the DHS's December 2015 report detailing FY 2015, the number of suspected gang member removals from all countries fell to 1,040 while the number of Salvadorans removed was 21,920 (DHS 2015, 8). This report reveals that, again, even if all removed suspected gang members were Salvadoran citizens, they would account for only 4.7% of Salvadoran removals in FY 2015.

In addition to examining the available statistics, it also critical to consider the implications of the expansion of criminality under US immigration law. Changes in what is considered a crime or an aggravated felony affect the amount of removals (deportations and "voluntary" departures) that the DHS considers "criminal". These changes impact the way that Salvadorans are categorized during removal procedures. César Cuauhtémoc García Hernández (2014, 1356) explains that an unprecedented convergence of immigration law and criminal law, or "crimmigration law", began in the United States during the 1980s and 1990s. For instance, under the Anti-Drug Abuse Act of 1988, non-citizens convicted of an aggravated felony, or at least what the federal government considered an aggravated felony, were to be deported (García Hernández 2013, 1468). In 1996 the Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA) had

particularly profound impacts on the representation and the removal of undocumented immigrants. First, the AEDPA broadened the scope of what were considered to be deportable crimes. (Coutin 2005, 14). Secondly, under the IIRIRA, local police became involved in detecting non-citizens for deportation (Leyro 2013, 135), therefore extending and localizing the criminalization of immigrants.

While official DHS records may contain inaccuracies or be incomplete, the data that is available shows that the majority of deported Salvadorans have not been convicted of a crime. Additionally, based on DHS statistics from the fiscal years 2014 and 2015, only a tiny percentage of Salvadoran deportees are classified as being gang-affiliated. Despite the fact that US immigration legislation has dramatically broadened the categories of crimes that make immigration deportable recent statistics show that many Salvadoran deportees have not committed a crime.

Section 2. **Neoliberalism, Cultural Violence, and Salvadoran Deportees**

In this section I will address the first form of cultural violence that I identify: the construction of the ideal Salvadoran subject. First, I define neoliberal citizenship and explore recent developments related to the idea of neoliberal migration. I then outline the history of the Salvadoran neoliberal emigrant, demonstrating that the Salvadoran government was the principal actor in the creation of this figure. Next, I examine two popular symbols of neoliberal Salvadoran discourse: *hermano lejano/hermano cercano* and Sigfredo Chávez. I then relate these figures to the praise of Salvadoran emigrants as economic heroes. Finally, I link this neoliberal discourse to Salvadoran deportees and demonstrate how deportees are excluded from the imagery of the neoliberal subject and even cast as not authentically Salvadoran.

Neoliberalism

While neoliberalism is a complex and contended term, it generally refers to a set of beliefs about the economy and personal behavior that emphasize deregulation, free trade, individual freedom, and personal responsibility for one's own welfare. Steger and Roy (2010, 11) conceptualize three distinct forms of neoliberalism: an ideology held by individuals, types of governance, and public policies. While discussions about neoliberalism and El Salvador generally focus on economic policies carried out by the US (Zilberg 2011, 6), this paper will primarily focus on neoliberalism as a form of governance and as a way of understanding neoliberal citizenship. As will be developed later in this section, the Salvadoran government has emphasized neoliberal values through the creation of an ideal neoliberal citizen, or rather a neoliberal emigrant.

Neoliberal governmentality refers to governance that reaches beyond direct state policy and instead describes neoliberal subjectivity and how individuals monitor their own behavior (Brown 2003, n.p.). Under this conception of neoliberalism, individuals are expected to act as "businesses" and are responsible for marketing and cultivating their own skills (Gershon 2011, 539). In this way, subjects are essentially reduced to their market worth and there are few limits to what is considered a trait that can be marketed. Individuals are also expected to embody various characteristics, such as competitiveness and entrepreneurship, which make them more likely to be successful within a neoliberal system. Furthermore, subjects are assumed to be rational actors that calculate the costs and benefits of relationships. Additionally, self-regulation and self-reliance are emphasized. Under neoliberalism the role of the government is to sustain the market, not to promote social welfare (Brown 2003, n.p.).

According to Wendy Brown (2003, n.p.), two related key traits of the neoliberal citizen are self-care and responsibility. The term self-care is similar to self-reliance, and refers to the idea that individuals are expected to independently fulfill their own needs rather than look to the government for any support. Responsibility means that individuals are understood to be fully accountable for their outcomes in life regardless of the individual's circumstances or disadvantages (Brown 2003, n.p.). For instance, an individual with a low level of education or who belongs to a group that has historically faced discrimination is theoretically just as responsible for their failures as a person from a higher socioeconomic background. This neoliberal assumption that individuals are fully responsible for their outcomes has frequently been argued as being problematic. Biebricher and Johnson (2012) insist that this view completely disregards the existence of social inequity. They state that this ideology "keeps some individuals in a better position to actualize and develop their inherent potentials while simultaneously denaturing the abilities of others" (Biebricher and Johnson 2012, 207).

While initially it may appear that the conception of the neoliberal citizen bears no relationship to migration, neoliberalism has in fact become a key aspect of the migration rhetoric in both the United States and El Salvador. Previous literature has linked neoliberalism to the US immigration regime. This literature asserts that migrants facing removal must demonstrate that they are ideal neoliberal individuals and that they therefore exemplify values of US citizenship. For example, migrants often are encouraged to depict themselves as good, hardworking individuals who deserve to stay in the United States (Hamilton 2002, 63). Additionally, Berger (2009, 205 and 212) maintains that immigrants applying for legal permanent residency under the Violence Against Women Act (VAWA) are also compelled to restructure their narratives to meet neoliberal values. For example, these women are often instructed to depict themselves as

entrepreneurial, as consistently reliant on themselves rather than welfare, and as people with potential to contribute to the economy (Berger 2009, 2010). These investigations reveal a new conception of the neoliberal subject; the neoliberal migrant.

The figure of the neoliberal emigrant who leaves El Salvador for the United States constructed by the Salvadoran government draws on these ideas of what it means to be a neoliberal citizen or a neoliberal migrant, I propose that the Salvadoran government has created and perpetuates the idea of the neoliberal migrant. Below, I trace the encounter between the neoliberal emigrant and Salvadoran deportees, who are completely cast out of the construction of neoliberal emigrant.

The History of the Ideal Salvadoran Emigrant

The creation of Salvadoran neoliberal narratives can be traced back to the Salvadoran Civil War that was fought from 1979 to 1992 between the authoritarian government and an alliance of left-wing guerillas. The war displaced hundreds of thousands of Salvadorans and, according to Hugh Byrne (1996, 115), by 1984 around 500,000 Salvadorans had fled to the United States. During the beginning of the war both the United States government and the Salvadoran government effectively turned their backs on the Salvadoran diaspora community. The war was often framed as a Cold War struggle and the United States was extensively involved in aiding the Salvadoran government. The Salvadoran population that sought safety in the United States was initially not considered to be a refugee population. This exclusion from refugee status was partly due to US support of the Salvadoran government, evident in military aid and the training of Salvadoran military leaders in the School of the Americas. However, efforts were made ─ most notably by religious members of the Sanctuary Movement and Central American activists in the United States ─ to house immigrants and secure their legal status

(Coutin 2007, 50). In 1990, after legal pressure by U.S. religious and refugee organizations, Salvadorans in the United States received benefits after the case *American Baptist Churches et al. v. Thornburgh* found widespread asylum discrimination by the INS (Bailey et al. 2002, 129).

During the early years of the war, the Salvadoran government regarded these Salvadorans who immigrated to the United States to be "subversives" who were part of a potentially dangerous sector of society (Coutin 2007, 74). However, these groups had a profound impact on the Salvadoran economy, a result that was unanticipated by the Salvadoran government. In 1980 Salvadorans remitted $49 million. This number increased rapidly and by the end of the war Salvadorans were sending $694 million annually to El Salvador (World Bank Annual Remittances Data 2015, n.p.). In fact, by 1995 remittances to El Salvador reached over $1 billion per year (World Bank Annual Remittances Data 2015, n.p.) As Gammage (2006, 80-81) argues, the Salvadoran government began to see remittances as an opportunity not only for general poverty reduction but also as an opportunity to combat the country's poor economic performance.

These unforeseen economic effects created an opportunity for the Salvadoran government to harness refugees' economic potential and to reclaim them into the nation as ideal neoliberal citizens. Consequently, the Salvadoran government switched from criticizing fleeing Salvadorans to asserting that they were "heroes who sacrificed for the nation" (Coutin 2007, 98) and exemplified the value of hard work. Although Coutin's (2007) work primarily focuses on transnationalism, the emphasis on personal sacrifice and hard work fits neatly into neoliberalism and has become a form of rhetoric utilized by the Salvadoran government. Coutin (2007) only uses the word neoliberalism in passing in a different section of her 2007 work. However, it is clear that the emphasis on personal sacrifice and hard work fits neatly into neoliberalism.

One way the Salvadoran government encouraged remittances was to try to secure legal status for Salvadorans in the US. In 1997 under the Nicaraguan Adjustment and Central American Relief Act (NACARA), many Salvadorans who had applied for asylum and had lived in the United States for five continuous years, were granted permanent legal residency. Interestingly, according to Sarah Mahler (1998, 70) the Salvadoran government actually aided and encouraged Salvadorans in the United States to apply for political asylum, a peculiar strategy given that NACARA was reserved for those who fled persecution from their own government. Afterwards, the Salvadoran government continued to take measures to prevent Salvadorans from being deported. For instance, in 2001 the Salvadoran government was active in promoting Temporary Protective Status (TPS) for Salvadorans in the United States after devastating earthquakes (Coutin 2007, 93). The Salvadoran government estimated that around 300,000 Salvadorans in the United States held TPS around 2011 and approximately 212,000 held it in 2014. Interestingly, the Salvadoran government has also been heavily involved in lobbying the US government to extend TPS programs in an effort to keep Salvadorans in the United States. Gammage (2006, 90) writes about this phenomenon, explaining that former President Antonio Saca even promised to work to secure a third renewal of TPS during his first term in office. These actions clearly demonstrate the Salvadoran government's involvement in ensuring that Salvadorans can continue to live in the US and remit to El Salvador.

The Salvadoran government has also sought to control remittances more directly. Salvadoran hometown associations have existed since the 1990s. However, starting in 2002 the government campaigned to attract remittance money for public works projects across the country, such as projects to improve infrastructure. By 2006 more than $11 million dollars in remittances had been donated to such projects (Gammage 2006, 90). In addition, the Salvadoran government

created the Dirección general de atención a la comunidad en el exterior (General Office of Services to the Community Abroad) in 2004. Similar to other initiatives by the Salvadoran government, the program matches remittance funds sent for public works administered by hometown associations (Landolt 2001, 235). In the same year the Viceministerio para los salvadoreños en el exterior (Vice Ministry for Salvadorans Abroad) was established (Marcin 2014, 548). The ministry's tasks include offering legal services and advice to Salvadorans abroad.

While the neoliberal Salvadoran is a construction that serves the purpose of the economic benefit of El Salvador, the Salvadoran government strives to maintain a certain illusion of political ties with the ideal neoliberal subjects who reside in the United States. However, the neoliberal Salvadoran is more of a construction that serves the economic benefit of El Salvador. For instance, while Salvadorans in the US retain citizenship even if they are granted US citizenship, it was impossible for this constituency to vote in El Salvador until the 2014 election, when Salvador Sánchez Céren was elected president. However, many Salvadorans in the United States were effectively not included in the vote because voting packets were often not mailed in time for voters to cast their ballots (Berestein Rojas 2014, n.p.) Interestingly, while Salvadorans who remit from the US are constructed as heroes and ideal neoliberal citizens, they face obstacles when participating in Salvadoran politics.

Neoliberal Symbols: Hermano Lejano and Sigfredo Chávez

More explicit neoliberal rhetoric, transnational in its nature, became apparent in Salvadoran civic symbols during the 1990s. In 1994, just after the end of the civil war and the signing of the 1993 peace accords between the government and opposing groups, a monument called *hermano lejano* (distant brother) was constructed in San Salvador. The monument was

constructed near the main airport to celebrate Salvadoran emigrants abroad. Symbolically, the popular image of *hermano lejano*/ *hermano cercano* serves to keep emigrants tied to the Salvadoran nation while they are abroad and thus fosters a transnational Salvadoran identity (Coutin 2007, 90). This emphasis on a larger Salvadoran community serves to make Salvadorans in the United States part of the Salvadoran nation and encourages remittances. *Hermano lejano* also represents neoliberal values by suggesting, paradoxically, that emigration should be celebrated because it strengthens the Salvadoran nation economically.

Other images celebrating *hermano lejano* and emigration have become increasingly visible in El Salvador. In 2006 a statue depicting Sigfredo Chávez was erected in *El parque las/los emigrantes*, which is a park located in Intipucá, El Salvador. This statue is particularly relevant to neoliberalism because, according to local historians, Sigfredo Chávez was the first person to leave Intipucá and immigrate to the United States (Alvarado 2015, n.p.). Based on writing from a leading Salvadoran news source called *El Faro*, Intipuqueños consider immigration to the United States "la ruta hacia la prosperidad" (a path to prosperity), with nearly 40% of all Intipuqueños having immigrated to the United States (Alvarado 2015, n.p.). A separate article pushes this estimate even higher, asserting that half of the town of Intipucá lives in the United States (Paullier 2015, n.p.).

The statue of Sigfredo Chávez clearly represents the neoliberal Salvadoran who is an economic asset to the country. Óscar Romero Chávez, the nephew of Sigfredo Chávez, explains that it is important that water from the fountain does not fall on the statue's face. According to Chávez this is because his uncle "no es mojado" (is not a wetback), which means that his uncle entered the United States with papers (Paullier 2015, n.p.). This emphasis on Sigfredo Chávez's immigration status hints that "illegality" and potential deportation is not consistent with the

image of the Salvadoran economic hero. An interview with Óscar Gallo, the engineer who developed the monument, reveals that the statue of Chávez gazes over its shoulder because Chávez planned to legally and voluntarily return to El Salvador someday. Again, this stress on Chávez's ability to plan and control his movement is at odds with "illegality" and deportation. In addition, the implication is that Chávez will return one day to retire only after he has successfully worked in the United States for many years.

Neoliberal Discourses and Deportees

This reconstruction of the Salvadoran immigrant as an economic hero and the emphasis on remittances have profound implications on how Salvadoran deportees are viewed. In particular, Salvadoran deportees are excluded from the narrative of the neoliberal emigrant and are often not even seen as Salvadoran. One example that demonstrates how deportees are excluded from neoliberal citizenship is the Salvadoran emphasis on the word *superar* or *superarse*. The term *superar* means working to succeed/exceed. In the context of Salvadoran migration, the term refers to the success that comes from migrating to the US, finding work, and then finally being able to either regularly send money back to family in El Salvador or live a life in the US. According to research by Bailey and co-authors (2002, 134), the word *superar* and its common use by the Salvadoran community in the United States are directly related to idea of who is perceived to be a worthy Salvadoran migrant and who is not. The authors explain that Salvadorans in the United States commonly hold the belief that Salvadorans who do not work to remit, or *superarse*, once they are in the United States are seen as somehow morally corrupt and therefore deserve to be deported (Bailey et al. 2012, 134). This belief has particularly profound implications for young Salvadorans who have lived most of their lives in the United States. These young Salvadorans are seen in opposition neoliberal emigrant, as "failures", if they are

deported and leave their parents in the US instead of taking advantage of their parents' sacrifices and staying in the US. By casting certain Salvadorans as outside of the neoliberal emigrant based on their loss of potential for making money in the United States through deportation, the term *superar* reveals the rejection that deportees face when they return to El Salvador.

Salvadoran deportees are also excluded from the neoliberal citizenship through their failure to follow a successful migration lifecycle. Jill Anderson's (2015, 10) work with deportees in Mexico notes that for Mexican emigrants, returning to Mexico around the age of fifty or sixty to retire is seen as a concrete marker of success. This standard for success and failure is one that can be extended and applied to Salvadoran deportees. Salvadorans who return "early" in the lifecycle are not recognized nor praised as neoliberal emigrants. This idea is reflected in the previously discussed symbol of Sigfredo Chávez. The engineer emphasizes that Chávez looks back because he will one day return to El Salvador (Paullier 2015 n.p.). However, this return is not through deportation, but at the end of a successful life of working and remitting.

For Salvadoran deportees, returning "early" can be especially detrimental if they no longer have close family in El Salvador. Unfortunately, Salvadorans who have lived most of their lives in the United States often cannot find work (as will be discussed later) due to prejudices or language barriers. As a result, some of these deportees depend on remittances from their families in the United States, casting them as burdens on the country and their families. This combination of returning "early", often not having familial ties in El Salvador, having difficulties finding jobs, and sometimes being a financial "burden" places these deportees at complete odds with the imagery of the ideal neoliberal Salvadoran immigrant and the ideal migration lifecycle.

Young Salvadoran deportees are not only excluded from being neoliberal heroes, they are also perceived as not being Salvadoran. Under the Obama administration's deportation policies, young Latino men have been most impacted, meaning that young Salvadorans are the largest group returning to El Salvador (Anderson 2015, 13). While young Salvadorans who have lived most of their lives in El Salvador may be able to reintegrate into Salvadoran society with relative ease (Cruz 2010, 385), young Salvadorans who were raised in the United States face far more challenges if they display any "American" or Chicano influences in their dress or speech. The stigmatization of Salvadorans exhibit Chicano patterns suggests that in El Salvador there is policing of who is considered a proper or a neoliberal Salvadoran.

The image of the young Chicano has been seen as an antithesis of the neoliberal Salvadoran. The term Chicano refers to longstanding communities of Spanish/indigenous/Mexican descent who are generally from the southwest of what is today the United States. However, some gangs, especially in Los Angeles, have appropriated Chicano youth culture. In the Salvadoran context, young Salvadoran deportees who exhibit these cultural traits are seen as "Americanized" and therefore not authentically Salvadoran. Ethnographic work by Andrea Dyrness and Enrique Sepúlveda III (2015) examines the connection between American "homeboy" culture and the stigmatization of young Salvadorans. The authors examine behaviors of students in El Río, a high school in a *colonia* (neighborhood) outside of San Salvador. Interestingly, they note that many marginalized youth in El Salvador who have never been to the United States, regardless of gang affiliation, have also adopted Spanish and English Chicano slang and style used by some deportees. Dyrness and Sepúlveda III assert that these young Salvadorans "have been socialized into different subjectivities that are neither recognized as 'Salvadoran'" (2015, 109) nor ideal neoliberal subjects.

Zilberg's research about Salvadoran deportees also makes references to Chicano and homeboy culture (2011). In an interview conducted by Zilberg, a young deported Salvadoran named Weasel refers himself as a former "Salvadoran living a Chicano lifestyle in the United States" (2011, 140). This interview reveals that Chicano identity does in fact influence Salvadoran deportees. Excerpts from Zilberg's interview reveal the contempt for the U.S. Chicano style exhibited by some deportees and Salvadoran youth (2011, 138). Weasel explains that, "People [in El Salvador] look down on you because, you know, the way you dress, baggy clothes… they call it marero [gangster] here, and that like something real low to call a person" (Zilberg 2011, 138). As part of the view that young deportees are "Americanized", the image of the young Chicano, which is regarded as "other" and foreign in El Salvador, is also seen as the opposite of the ideal Salvadoran subject.

The Salvadoran government's construction of the ideal emigrant is one side of the cultural violence that I identify. Efforts to keep remitting Salvadorans in the United States and the creation of the national symbol of *hermano lejano/hermano cercano* reveal the Salvadoran government's development of the Salvadoran neoliberal emigrant. Deportees are excluded from being neoliberal emigrants and are not viewed as being truly Salvadoran

Section 3. Cultural Violence and Deportation Rhetoric in El Salvador

In the previous section I argued that the Salvadoran government has constructed the ideal neoliberal emigrant and that Salvadoran deportees are excluded from this category. In this section I will address the second form of cultural violence that I identify. I contend that Salvadoran deportees are actively cast as gangsters and criminals by the Salvadoran government. First, I address the Salvadoran government's conflation of *deportee* with *marero* (gangster) and *criminal*, which serves to scapegoat Salvadoran deportees for problems of violence in the

country. I will then examine the combination of state violence, extraconstitutional violence, and general discrimination that deportees suffer in El Salvador. Finally, with this Salvadoran government *marero* rhetoric in mind I will briefly examine the literature from the United States in order to examine parallels

Debunking the conflation of deportee with *marero* and criminal

In El Salvador, deportees are commonly cast as *mareros* (gangsters) or criminals by both popular political figures and by the Salvadoran government. This rhetoric became visible in the mid and late 2000s and has been utilized by politicians, members of the Salvadoran government, and police to blame deportees for the country's problems. For instance, a former presidential candidate from the right-wing political party Liga Democrática Republicana (LIDER) called deportees "cultural contaminants" who are responsible for AIDS and gangs (Zilberg 2007, 69). This language is also employed by representatives of the Salvadoran government. For instance, former Salvadoran President Antonio Saca, who served 2004 to 2009, claimed that deportees are, "extremely dangerous people that have to be watched" (Fariña et al. 2010, 193).

One key aspect of this dimension of cultural violence is the assertion that violent street gangs are a strictly foreign phenomenon that was brought to El Salvador from the United States. The common claim is that deportees, starting with the widespread deportations from Los Angeles in the 1990s, created and are responsible for the current gang crisis in El Salvador. However, gangs existed in El Salvador before the increased deportations in the 1990s (El Faro 2014, n.p.). Additionally, Salvadoran gangs predated the return of 375,000 Salvadorans after the 1993 Peace Accords by at least twenty years (Cruz 2010, 348). Crucially, José Miguel Cruz (2010, 348) notes that by the early 1990s these groups were already referred to as *maras* (gangs) and that until recently the intensified gang violence was not hypothesized to have been related to

deportation. An article by El Faro examines the etymology of the world *mara* in El Salvador, citing an explosion in groups called *maras* in the 1990s.These groups include Mara 42, Mara Gallo, Mara Morazán, and Mara Máquina (El Faro 2014, n.p.). Although these older groups are different from the principal *maras* that exist in El Salvador today, it is clear that the *mara* phenomenon is not one that is strictly foreign to El Salvador.

Despite the long existence of *maras* in El Salvador, the conflation of *deportee* and *marero* by Salvadoran officials is possible because, like gangs in other parts of the world, Salvadoran gangs adopted characteristics of US gangs. More precisely, Salvadoran gangs imitated the small numbers of deportees who were gang-affiliated in the US. This imitation led to changes in the structure and activities of Salvadoran gangs, including the territorial nature of Salvadoran gangs (Fariña 2010, 52-3). Additionally, Salvadoran gang members copied deportees' language patterns, which incorporated English and Chicano Spanish phrases. Young Salvadorans and Salvadoran gang members were also quick to adopt baggy clothing and dress that was associated with American style (Decesare 2003, 289)

Local Salvadoran gangs began to consolidate and claim affiliation with two Latino gangs in the United States called la Mara Salvatrucha and (M-13) and Calle Dieciocho (M-18) (Cruz (2010, 386). Zilberg's work about gang members documents this adoption of US gang culture in El Salvador. For instance, she notes that while Salvadoran gang members paint gang symbols referencing the rivalry between M-13 and M-18, these references are often wrong when they refer to area codes or *barrios* in Los Angeles (2011,133). In one interview, a young gang member remarks "It's like you're seeing the freeways from LA, and they [Salvadoran gang members] don't even know how to write on the walls. They write real stupid, you know. They put 'Westside 18th Street" or 'Northside MS" and we're not really on the Northside or Westside

here. We're in South Central" (Zilberg 2011, 133-4). This interview indicates that rather than deportees strictly brining gangs to El Salvador, Salvadoran gangs mimic US gangs. This adoption of US gang culture allows for the conflation of deportee with *marero* to appear substantiated.

Deportees, State Violence, and Extraconstitutional Violence

The conflation of *deportee* with *marero* and *criminal* is a form of cultural violence because it serves to legitimize the mistreatment and violence that deportees face in El Salvador. *Anti-mara* (anti-gang) policies are one of the principle manifestations of the harassment and violence that young deportees face. These policies have included both *El Plan Mano Dura* (Iron-Fisted Plan) and *El Plan Súper Mano Dura* (Extremely Iron-Fisted Plan). *El Plan Mano Dura* was in effect from 2003 to 2005 and was intended to target gang members for mass incarceration. However, this policy was found to have "violated the presumption of innocence until the contrary is proved" by Salvadoran Judge Aida Luz Santos de Escobar (USAID 2010, 53). According to a report by USAID (2010, 52), in 2004 a second *anti-mara* law called *El Plan Súper Mano Dura* gave Salvadoran authorities the ability to "randomly apprehend and book gang members".

Due to the conflation of *deportee* with *marero*, Salvadoran *anti-mara* laws impact young Salvadoran deportees. Under these *anti-mara laws* it is illegal to be in a youth street group or to be affiliated with a youth street group (Gonzales 2014, 110; USAID 2010, 53) Customs common in the United States, such as having tattoos, are considered evidence for gang membership (Dingeman and Rumbaut 2010, 389). This aspect of the law allows Salvadoran authorities who encounter Salvadorans with tattoos to remove civilians' shirts and search their bodies for tattoos.

In addition, these measures give the *Policía Nacional Civil* (PNC) the ability to target Salvadorans who wear "baggy clothes" or who speak Spanish with an English accent, both of which are regarded as markers of gang involvement (Dingemen and Rumbaut 2010, 389). This policy particularly impacts deportees who immigrated to the United States at a young age, especially because some do not speak Spanish and many others speak Spanish influenced by Chicano and American dialects (Dingeman and Rumbaut 2010, 395).

The mistreatment that deportees face often takes the form of detention and strip-searches. According to the U.S. Department of State, Salvadoran deportees are at risk of being arbitrarily detained by Salvadoran authorities (U.S. Department of State Bureau of Democracy, Human Rights, and Labor 2006, n.p.) and Salvadoran deportees report being regularly strip-searched by Salvadoran immigration officials, regardless of criminal charges or gang status (Dingeman Gonzales 2014, 395). A Harvard Law School International Human Rights Clinic on El Salvador also documents the mistreatment that deportees face at the hands of Salvadoran law enforcement agencies. Deportees claim that Salvadoran officials take pictures of them as they arrive in the airport in San Salvador and force them to leave an address of their anticipated location (Miller et al. 2009, 97). In some recorded instances, police officers even follow deportees after they leave the airport and arrest them later if a crime is reported in the same area (Miller et al. 2009, 97-8).

Additionally, Salvadoran deportees face extraconstitutional violence. Death squads, which were common during the Salvadoran Civil War, have now turned to vigilantism and target "gangsters" and "criminals". For instance, La Sombra Negra, a right-wing death squad that became well known in the 1990s, claimed it "cleansed" the country of gang members and criminals (Ladutke 2001, 287; Montagine 1999, n.p.). The group, which reportedly included former police officials (Ladutke 2001 285 and 305), was responsible for the assassination of

many Salvadorans beginning in 1994. According to *La Prensa Gráfica*, a leading news source in El Salvador, death squads continued their activities in 2014 by posting death threats against gang members in both Ciudad Delgado and Puerto Parada (Melara and Rivas 2014, n.p.). Additionally, deportees report being targeted by other similar groups who are often dressed in police or military uniforms. *La Prensa Gráfica* reported that in one incident in 2014, four young suspected gang members were assassinated in Suchitoto by men dressed in PNC and soldier attire (Meléndez 2014, n.p.)

These incidents of extraconstitutional violence enjoy the approval of various government officials and politicians. In one incident, Guillermo Gallegos, a leader of the right-wing political party Gran Alianza por la Unidad Nacional (GANA), expressed support for death squads by claiming, "Moralmente yo apoyo este tipo de expresiones porque hay cansancio de la población ante de la ola de delincuencia" [*Morally speaking, I support these type of expressions because there is a weariness on the side of the public against this wave of delinquency*] (Melara 2014, n.p.). While Gallegos does not specifically state that he supports extrajudicial killings of deportees, this rhetoric impacts deportees as the government constructs deportees as *mareros* and criminals.

Cultural Violence: Cautions and Salvadoran Government Rhetoric in US writings

I have demonstrated that the Salvadoran government has created two complementary forms of cultural violence that impact deportees. This cultural violence is manifested in both the creation of the ideal Salvadoran neoliberal emigrant and the conflation of *deportee* with *marero* and *criminal*. The relative lack of attention to the criminalization of deportees might be connected with the predominant framing of the question in current scholarship.

Currently, there is an overwhelming interest in both gang networks and the violence in El Salvador. Due to the connection between gangs in the United States and El Salvador, deportation and the imitation of US gang culture is key to the discussion (Cruz 2010, 383). However, addressing deportation is complicated for several reasons. It is imperative to emphasize that almost all of these deportees are not gang-affiliated and that many Salvadoran deportees have not been charged with a crime. For instance, in the 2013 fiscal year 11,422 (55%) of the 20,862 had not committed an offense (DHS 2014b, 6). However, it should not be suggested that deportees who have been charged with crimes are inherently dangerous or are unworthy of consideration and attention. Additionally, it is important to recognize social problems in El Salvador that have profoundly impacted gang development rather than exclusively focusing on or blaming the deportees themselves. These issues include the violent legacy of the Civil War, the pervasive poverty in the country, the lack of opportunities for young people, and the increasingly punitive *anti-mara* policies. Because of these complexities, it is important that writings about gangs are careful to not criminalize deportees.

In English-language academic literature, there are few works that focus primarily on the experiences of deportees in El Salvador. Zilberg (2007, 2011) has been one of the few authors to substantively address deported Salvadoran youth. Zilberg's work focuses on the subset of marginalized population of deported youth that is gang-affiliated without sensationalizing El Salvador's gang violence. While Zilberg (2011, 129) acknowledges that only a minority of deportees to El Salvador are gang-affiliated, her critique could be complemented in two ways. First, by focusing only on gang-affiliated deportees she misidentifies the range of the problem of stigmatization and criminalization in El Salvador which extends to all deportees. Secondly, the "homeboy culture" and other stigmatized cultural patterns that she associates with gang-

membership are more widely adopted by young deportees. Despite the fact that Zilberg (2011) argues against criminalization directed at these practices, her narrow focus may inadvertently reinforce claims that these cultural patterns are necessarily connected with gang activity.

In English-language news articles and reports, the conflation of *deportee* with *marero* and *criminal* appears to be much more prevalent and salient. For instance, Scott Wallace (2000, n.p.) writes about his investigations in El Salvador in an article entitled "You must go home. Deported L.A. gang-bangers take over El Salvador". Even in the title, the author's treatment of deportees echoes that of the Salvadoran government by suggesting that deportees are to blame for gangs in El Salvador. In another example, Nancy San Martin explicitly uses the word *convicts* to refer to *deportees* in the Miami Herald. The author describes a scene of deportees disembarking a plane at the airport in San Salvador, writing "behind [the first deportee to leave the plane] came another 77 convicts -- most returning to their homeland for the first time in years" (2007, n.p.). As in the previous example, this US reporter actively employs the imagery of the criminal Salvadoran deportee. Both of these articles serve to highlight the pervasiveness of this cultural violence.

While there has been increased attention and interest in gangs and gang violence in El Salvador, it is critical not to suggest that all deportees are *mareros* or that deportees are to blame for El Salvador's problems of violence. On the one hand, Zilberg (2011), demonstrates that even in carefully written research it is possible to underestimate the reach of stigmatization by focusing exclusively on gang-activity and overestimate the connection between 'homeboy' culture and gang affiliation ─ unintentionally perpetuating the idea that youth who adopt that culture, and potentially all deportees, are *mareros*. On the other hand, news articles in the United States uncritically reproduce rhetoric used by the Salvadoran government. The prevalence of this

conflation of *deportee* with *marero* and *criminal* speaks to the power of this discourse and the ability of the Salvadoran government, perhaps with the help of the US government, to control it.

The Salvadoran government has consistently conflated the categories of deportees, *mareros,* and criminals. Additionally, officials blame deportees for the gang crisis and violence in El Salvador. However, upon closer inspection it is clear that gangs did not form in El Salvador because of deportations from the United States. Unfortunately, Salvadorans face various forms of violence upon their return to El Salvador. These forms of violence include harassment by the police as well as the possibility of being targeted by vigilante death squads. In English-language literature it is crucial to be aware of the Salvadoran government's rhetoric that impacts deportees. Unfortunately, there is evidence of a tendency to cast deportees as *mareros* and criminals in English-language news articles.

Conclusion

As I have argued, the cultural violence that Salvadoran deportees face takes the form of two complementary processes. First, the Salvadoran government has constructed an ideal neoliberal emigrant that is praised as a hero for monetarily contributing to the country. However, Salvadoran deportees are excluded from this category and are often not even recognized as Salvadoran. Secondly, the Salvadoran government casts deportees as the antithesis of the neoliberal subject by conflating *deportee* with *marero* and *criminal*. These two processes of cultural violence, which take the form of rhetoric, serve to legitimize the harassment and the abuse that Salvadorans face in practice after deportations. While deportees who have lived the majority of their lives in the El Salvador may be able to reintegrate into society, Salvadorans who have lived most of their lives in the United States are more likely to face harassment.

While I have focused my work on El Salvador, my work has implications for the treatment of deportees in other countries with high rates of emigration. According to the DHS (2015, 9), around 146,000 Mexicans were deported from the United States in the fiscal year 2015. Interestingly, Anderson (2015, 19) notes that young Mexican deportees' dress is often connected to criminality. Due to discrimination and fear, these deportees are unlikely to find jobs outside of English-language call centers (Anderson 2015, 19). Furthermore, the DHS (2015, 9) reports that the Dominican Republic has the fifth highest US removal rate. While there is no large body of literature that connects Dominican deportees and criminalization, work by David Brotherton and Luis Barrios (2009) hints at this connection. In particular, Brotherton and Barrios (2009, 45-9) argue that Dominican police target deportees after crimes have been committed and that the Dominican-New York culture is viewed as threatening to Dominican culture.

Outside of Latin America, work on cultural violence, criminalization, and deportees could be extended to Afghani migration. The case of Afghanistan is comparable to that of El Salvador as the country also has one of the highest populations of citizens living outside of its borders. According to Liza Schuster and Nassim Majidi (2014, 640) Afghani deportees from the UK and other European nations are often blamed for their deportation because, "one way to preserve the idea of e.g. Australia or Germany as the ideal destination is to blame the person deported, to label them as criminal, lazy or unlucky". As in the case of Salvadoran deportees, young deportees in Afghanistan are often seen as "contaminants" of local culture (Schuster and Majidi 2014, 644).

It is crucial to criticize the constructions of Salvadoran deportees, as well as their scapegoating for violence in El Salvador, particularly at a time in which the Salvadoran government is adopting increasingly militaristic tactics against gangs in the country. Presidents

from the leftist party, the *Frente Farabundo Martí para la Liberación Nacional* (FMLN), have continued this militarization started under conservative ARENA administrations. Under FMLN ex-President Funes, 8,200 soldiers were deployed to the streets of El Salvador to assist police authorities combating gangs (Wolf 2012, 53). In fact, by 2012 the military was patrolling 29 areas in El Salvador. Additionally, during the presidential elections in 2014, the leading ARENA candidate Norman Quijano promised voters that he would both place military tanks in the streets and make military service compulsory to lessen gang violence.

Under Salvador Sánchez Cerén, El Salvador's most recent president and the country's second president from the FMLN, this militarization has continued to intensify. According to Sánchez Cerén "No hay espacio para entenderse con [los mareros], son criminales y como criminales hay que tratarlos" [*There is no space to come in agreement with them, they are criminals and they have to be treated like criminals*] (La Prensa 2016b, n.p.). In May 2016 Sánchez Cerén met with the Salvadoran Supreme Court and Congress to discuss a possible state of emergency in the country and the possible suspension of certain rights such as the right to assembly (Renteria 2016, n.p.; La Prensa 2016c, n.p.). At the end of the same month Sánchez Cerén called for one thousand more soldiers to be deployed in El Salvador to patrol areas of El Salvador with gang members (La Prensa 2016a, n.p.; Reuters 2016a, n.p.). It is anticipated that Sánchez Cerén will ask for $1.2 billion dollars from the Salvadoran government to increase *anti-mara* measures (Reuters 2016b, n.p.). This continued militarization of El Salvador's anti-gang policies will undoubtedly impact deportees.

Additional research that examines the experiences of deportees after they are removed or deported from the United States is needed. While previous studies have shed light on gang-affiliated deportees, little work has been done to document the experiences of Salvadoran

deportees who do not belong to gangs but still find themselves target of the cultural violence and criminalization, described in this thesis. As I argue, this is a consequence of having failed to live up to the myth of the Salvadoran neoliberal immigrant and to the systematic rhetorical and practical conflation between deportee and *marero*. While some may regard deportation as simple process of repatriation, it is clear that Salvadoran deportees, particularly young Salvadoran deportees, return to face a hostile environment that denies them basic guarantees of democratic citizenship.

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